

government treats itself by exempting them from burden of the sand tax.

In addition to the fairness this restores to the coastal states dependent on sand resources to replenish their beaches, this bill enhances environmental protections in our coastal waters. Under the current system, states are not charged for sand mined within three miles of their shores. This creates an incentive to find sand resources within the three mile zone. However, years of industrialization has made some sand unfit for beach restoration use. Furthermore, fragile aquatic ecosystems can be disrupted if sand is removed from these critical areas. Although state environmental agencies are careful to study the environmental impact of their shore protection operations, financial interests and the need for environmental protection are sure to clash in the long run. This bill will give state environmental protection agencies a broader tax-free area to find suitable sand deposits for much needed shore protection projects, while maintaining the health of fragile ecosystems.

Last year, Virginia Beach had to pay over \$200,000 in taxes for 1.1 million cubic yards of sand from the outer continental shelf. In fact, because they could not afford the increased cost, they had to scale back the shore protection project. This project will now have a shorter useful life and will require the local government to replace the project earlier than planned at a much higher cost. In the past, before the sand tax was imposed in 1997, environmental officials in my state of Delaware authorized mining of sand beyond the three mile zone. It is only a matter of time before environmental concerns will force them back to the outer continental shelf. Without this bill, Rehoboth Beach, Dewey Beach, Bethany Beach, Lewes Beach, and Broadkill Beach shore protection projects will all have to be scaled back to accommodate the federal government's sand tax.

The federal government does not charge its own agencies for using outer continental sand and royalties for other mineral resources are shared with the states. At the very least, we should agree not to charge state and local governments a tax for using outer continental sand and gravel. Vote for this bill. It is a vote for fairness to the states and sound environmental policy.

OMNIBUS VETERANS BILL

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 16, 1998

Mr. GUTIERREZ. Mr. Speaker, I rise today in support of the Veterans Programs Enhancement Act of 1998. I commend Chairman STUMP and Ranking Member EVANS for their tireless effort in producing this important legislation.

I also compliment the staff of both the House and Senate Veterans' Affairs Committees. Their hard work and dedication to our veterans has made this legislation possible.

People outside of this building are often unaware of the vital role staff play in the legislative process. They should not be. Our veterans should know how hard the veterans committee staff works for them each day. I hold this bill up as testament to their efforts.

Mr. Speaker, for much of this year I was not sure what this Congress would be able to accomplish on behalf of our nation's veterans.

I would venture to say that this Congress's record on veterans issues has been mediocre at best. Funding for veterans health care was cut again, medicare subvention was not achieved and veterans benefits were slashed to fund highway construction.

But in the end, with the passage of this legislation, we will be able to point to some notable achievements on veterans issues this year.

With this bill, we establish a precedent for the presumptive treatment and compensation of Persian Gulf War veterans.

I have long felt that we must give our Gulf War veterans the benefit of the doubt when it comes to health care and service connection. This bill helps us reach this goal that I have long called for.

In addition, this legislation helps prepare us to provide quality treatment for the veterans of future conflicts.

We were unprepared for the aftermath of the Gulf War.

However, by establishing a National Center for the Study of War-Related Illnesses, this bill helps prepare our veterans health system for the aftermath of future conflicts.

This bill also extends the VA's authority to treat the medical problems afflicting Gulf War veterans until 2001. We know we are not through dealing with the health problems confronting Gulf War veterans and I am pleased to see this fact recognized in this legislation.

The VA's sexual trauma treatment program, a program that I have advocated for throughout this session, is also reauthorized by this bill. During the past two years, the reality of sexual abuse and harassment of women in the military has come to light. It is only right that we maintain the VA's capacity to offer the victims of these crimes the treatment they need and deserve.

In addition, I am also pleased by this bill's provisions regarding educational opportunities, housing and medical construction at veterans hospitals. The reforms contained here are necessary and well-intentioned and should contribute to the welfare of veterans throughout America.

I am proud to support this bipartisan bill. And I urge my colleagues in the House to support this legislation as well.

A TRIBUTE TO MEARLE HEITZMAN

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 16, 1998

Mr. DOOLEY of California. Mr. Speaker, I rise today to pay tribute to an entrepreneur who operates a successful restaurant in the Central Valley. Mearle Heitzman of Tulare County was recently recognized for his achievements by the Central Valley Chapter of the California Restaurant Association at its third annual Diamond Cuisine Awards Banquet.

Mearle Heitzman, originally from Utah, has managed several local restaurant establishments in the Central Valley since 1948. Mr. Heitzman has been honored by the California Restaurant Association as an inductee into its Hall of Fame.

Since 1960, Mr. Heitzman has owned and operate Mearle's College Drive-In Restaurant across from the College of The Sequoias in Visalia, California. With his relentless penchant for hard work, Mr. Heitzman has turned his restaurant into a highly successful and well-known fixture, in the Central Valley. President Richard Nixon is among the various celebrities to have visited Mearle's College Drive-In Restaurant.

Mr. Speaker, I would ask my colleagues to join me today in congratulating this businessman for his remarkable achievements and in recognition of his service to the community.

TRIBUTE TO GORDON W. "RED" LARSEN BY HIS WIFE

HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 16, 1998

Mr. HILLEARY. Mr. Speaker, please enter into the RECORD today the enclosed material written by Mrs. Betty Larsen and sent to me by Mrs. June Griffin of Dayton, Tennessee.

Gordon W. "Red" Larsen was born in Charleston, South Carolina, on September 13, 1927 to George Oliver and Marguerite Hochslander Larsen. He spent part of his childhood in Somerville, South Carolina. His great-grandfather, whom he knew while a child, was a shipwright, which may have had some influence on his choice of the Navy for his military service.

His parents separated and his mother took Red and his two older brothers, Herman and George, to New York City. Red spent his teen years in what was known as "Hell's Kitchen" and became a big city street-wise. This area has since been torn down and replaced with what we know today as Lincoln Center for the Performing Arts.

Red enlisted in the Navy near the end of World War II. He worked in communications as a signalman, worked for some time as a submariner, and was trained in underwater demolition. He eventually gained the rank of CPO. He was in the Navy for 13 years, traveling to many different places throughout the world, and also saw service in the Korean War.

In the early 1970's, Red became concerned with the legitimacy of several aspects of our Government's actions, especially pertaining to the Federal income tax. He spent considerable time and effort studying, researching and talking with various sources. He also assisted several persons with tax difficulties. One of the results of his studies was an 83-page book, written in the late 1980's, *Slavery, American Style*. The book discusses in some detail the unconstitutional nature of our current income tax system.

Another interest was our individual rights and freedoms as American citizens, including property rights. Red also made a significant contribution to several communities in demonstrating the unconstitutionality of zoning laws.

In 1944, Red moved to Tennessee for its warmer weather and excellent State constitution. The first article in the Tennessee State Constitution is its Bill of Rights. He continued his studies and contacts with other patriots, and was starting to publish a series of newsletters entitled "Truth Bird Reports." Only one

report had been published at the time of his death on July 7, 1998.

A memorial library which will contain many of Red's books and papers will be established in Altamont, New York, at the home of a long time friend.

SENSE OF THE HOUSE REGARDING MURDER OF MATTHEW SHEPARD

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 15, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am here today to say that this Nation and the United States Congress cannot tolerate intolerance. Earlier this week, on October 15, Matthew Shepard, a gay University of Wyoming student who was pistol-whipped and lashed to a fence post in a vicious attack, died from his injuries without regaining consciousness. I want to express my condolences to Matthew's parents, Judy and Dennis, and to the entire Shepard family. This is another example of a hate crime.

This brutal attack against Mr. Shepard is not an uncharacteristic, once-in-a-lifetime manifestation of bitter hatred. Hopefully, we can see it for what it really is—merely the tip of the iceberg. This gruesome attack illustrates the prejudice and hatred that still exists in our society today. Just when you think America may be beginning to change its long-standing intolerant ways, a volcanic eruption of hatred and prejudice spews forth, and a man like Matthew Shepard is brutally attacked because of his sexual orientation.

The public outrage surrounding this brutal attack has motivated Representative CUBIN to introduce the Matthew Shepard Resolution. Although I agree that we as Members of Congress should express our outrage at the barbaric act of violence against Matthew Shepard, I hope that we can enact additional legislation which really focuses on the issue of hate crimes including those against gays and lesbians in our communities. I hope that this painful and devastating incident will motivate the Congress to pass H.R. 3081, the "Hate Crimes Prevention Act," which would expand Federal jurisdiction to reach serious and violent hate crimes. Under the bill, hate crimes that cause death or bodily injury because of prejudice can be investigated federally, regardless of whether the victim was exercising a federally protected right. This hate crime mirrors the hate crime that took place this summer in Jasper, Texas; the murder of James Byrd.

In fact, with each passing year we must endure hearing horrible tales of hate-related crimes. Working under the Hate Crime Statistics Act (HCSA), the FBI revealed that 8,759 hate crime incidents were reported to local authorities in 1996.

Over 1000 incidents of hate crimes were directed at gays and lesbians during 1996. From 1991 through 1996, the percentage of hate crimes related to sexual orientation increased from 8–11%. Hate crimes committed in recent years include intimidation, simple assault, aggravated assault, murder, and forcible rape.

Unfortunately, the FBI's statistics actually underestimate the sheer magnitude of the

hate crime crisis. Their figures are misleading because less than half of law enforcement agencies report hate crimes and only 1,150 record incidents. Moreover, organizations such as the Anti-Defamation League (ADL) note that law enforcement agencies covering more than 40% of the American population are not included in the FBI's statistics.

It would be unjust, however, to reduce the horrific reality of these attacks to mere numbers. Of the 8,579 hate crimes reported, each one represents an appalling and disturbing story such as the murder of Matthew Shepard.

In my own city of Houston, Texas, I listened in sorrow as I was told about the death of a gay man, Mr. Fred Mangione, who was stabbed 35 times by members of a neo-Nazi organization in January of 1996. Currently, there are Hate Crime Laws including sexual orientation on only 21 states and the District of Columbia. My home state of Texas seems unclear about these laws, and how to prosecute them, and there are 8 states where Hate Crime Legislation, whether racially or anti-homosexually motivated does not even exist.

Current law (18 U.S.C. 245) permits Federal prosecution of a hate crime only if the crime was motivated by bias based on race, religion, national origin, or color, and the assailant intended to prevent the victim from exercising a federally protected right. The Hate Crime Prevention Act which was introduced by Rep. SCHUMER and Rep. MCCOLLUM must be adopted by this Congress. This bill would amend current Federal law to include real or perceived sexual orientation, gender and disability so that the FBI would be able to investigate and prosecute violent hate crimes against gays, lesbians, and bisexuals. Current law already allows investigation and prosecution on the basis of race, religion, national origin and color.

Each year, we endure hearing that 6 out of every 10 persons are physically attacked because of their race, bias against blacks accounting for 38% of the total. Gays and Lesbians of all ethnicities must also face the risk of attack and prejudice. We simply cannot tolerate the status quo; we cannot accept that our current situation is "the best that we can do." We rail against foreign nations such as China and deride them for their inhumane practices. Yet, how can we criticize them when similar acts occur on our own soil?

This Congress must send a clear message to the American people that we will not tolerate hate crimes anymore. In the year 1998, it is truly absurd that we must warn people of color, and you have a different sexual preference that is different from our own, to walk in groups because, in our society, it simply is far too dangerous to walk alone. We have endured far too many atrocities, and we have feared for our lives for long enough. We must work together and take a stand.

Congress has an opportunity to pass the Hate Crimes Prevention Act on suspension before we leave this Congress, without a committee vote. I call on the Republican leadership to act swiftly and decisively to end the bitter hatred that is rooted in our society. We cannot tolerate intolerance!

HONORING LIVESTOCK MAN OF THE YEAR

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 16, 1998

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate John Harris on being named "Livestock Man of the Year by the California State Chamber of Commerce. A longtime leader in the livestock and horse industry, John will be honored during "Cattlemans Day" at the fifty-fourth Grand National Rodeo, Horse and Stock Show.

John Harris is being honored for his extensive involvement in agriculture. He serves as the vice chairman of the Cattle PAC. In the past John has served as a member of the Operating Committee of the Beef Board, chairman of the California Beef Council and a board member of the California Cattlemen Association.

As a rancher John Harris heads one of the largest and most diverse farming operations in the Central Valley. Founded by his father Jack Harris in 1937, Harris Farms employs more than 1300 people. Harris Farms can feed more than 100,000 head of cattle at a time, as well as processes more than 200,000 head per year, from their well known Colinga location. Harris is also a leader in developing foreign markets for American beef. Harris Farms exports to many countries, particularly Japan.

Harris Farms is also active in breeding and racing thoroughbred horses. It has produced more than 20 stakes winners and produced four California champions.

Mr. Speaker, I rise today to pay tribute to John Harris as he is honored as Livestock Man of the Year by the California State Chamber of Commerce. John Harris has played a vital role in the business community and I ask all of my colleagues to join me in wishing him continued success in the future.

HATE CRIMES AND INDIVIDUAL RIGHTS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 16, 1998

Mr. PAUL. Mr. Speaker, I commend to my colleagues in Congress as well as citizens everywhere an article authored by Richard Sincere, Jr., President of Gays and Lesbians for Individual Liberty. Mr. Sincere aptly describes how the very essence of hate crimes undermines a pillar of a free and just society; that is, equal treatment under the law irrespective of which particular group or groups with whom an individual associates. Ours is a republic based upon the rights of the individual.

[From the Houston Chronicle, Oct. 14, 1998]

GAY STUDENT'S MURDER IS NO REASON TO
MAKE BAD LAW

(By Richard E. Sincere, Jr.)

The wicked murder of Matthew Shepard by two thugs, assisted by two equally contemptible accomplices, has resurrected a debate about the need for hate-crime laws.

Shepard, an openly gay University of Wyoming student who had been widely praised for his talents, ambitions and personality,